

LAW OFFICES OF  
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January 21, 2010

Honorable Phyllis J. Hamilton,  
United States District Court Judge  
Northern District of California  
1301 Clay Street  
Oakland, CA 94612-5212

**Re: *United States v. Arie Prilik, et al., CR-07-0765 PJH***

Dear Judge Hamilton:

I represent Mr. Arie Prilik who, together with his co-defendant Mendel Beker, is charged with wire fraud in connection with a military supply contract for the provision of certain equipment to a government agency. Mr. Jonathan Howden represents defendant Beker. Messrs. Beker and Prilik are Canadian citizens for whom the government has been seeking extradition to face the charges pending in this District. Mr. Howden and I have been negotiating with the government prosecutors representing the Anti-trust Division in this matter, with a view to arranging the voluntary appearance of our clients to face the pending charges. These efforts have been fruitful and we now believe that we will be able to arrange, with the government's cooperation, for our clients to travel from Canada to this District in the very near future.

My purpose in writing you at this juncture is to advise the Court that this case has been prosecuted as a San Francisco case, originally indicted (under seal) in December 2007. I understand that Your Honor has since moved your judicial seat to the Oakland venue and that you have, on a number of occasions, referred San Francisco cases for reselection rather than continuing to preside over the proceedings in your Oakland Court. Because we are now preparing to arrange the itineraries for our clients' travel to this District, where we believe they will be met by federal agents for transportation to the appropriate federal Magistrate, it would be most helpful to know whether the case will be remaining in the Oakland venue. If so, we will cooperate with the government in arranging for an appearance in Oakland upon the clients' arrival; otherwise, we will arrange for an appearance before the Duty Magistrate in San Francisco.

I should emphasize that we are in no way suggesting that the case be transferred and will be pleased to litigate the case before your Court if that is the Court's disposition. In view of your move to Oakland, however, I felt that I should bring this matter to the attention of the Court before final travel arrangements are made. I have discussed this matter with the case prosecutors, Jeane Hamilton and David Ward, and with Jonathan

Howden, counsel for Mr. Beker. I believe we are all in agreement that we are prepared to litigate the matter in whatever venue the Court feels appropriate but would appreciate this clarification.

Thank you for your consideration in this matter.

Very truly yours,

/s/ William L. Osterhoudt  
WILLIAM L. OSTERHOUDT

cc: Jeane Hamilton, Esq.  
David Ward, Esq.  
Jonathan Howden, Esq.